IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

WP(C).No. 29221 of 2007(D)

PETITIONER:

P.A.SHIHABUDHEEN,
AGED 30 YEARS,S/O. LATE P.P.ABOOBACKER
PADINJAKARA, CHEVARAMBALAM,CHEVAYUR,KOZHIKODE.

BY ADV. SRI.M.A.SHAFIK

RESPONDENTS:
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1. THE SPECIAL TAHSILDAR (LA)
NATIONAL HIGHWAY AUTHORITY OF INDIA
KOZHIKODE.

2. P.A.SHERRY
PADINJAKARA CHEVARAMBALAM,
CHEVAYUR, KOZHIKODE.

3. P.A.SHINY FATHIMA,
PADINJAKARA CHEVARAMBALAM,
CHEVAYUR, KOZHIKODE.

4. P.A.SHABEER
PADINJAKARA CHEVARAMBALAM,
CHEVAYUR, KOZHIKODE.

BY

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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M.N.KRISHNAN, J

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W.P.(C) No.29221 OF 2007

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Dated this the 3rd day of October 2007

JUDGMENT

This writ petition is filed for a direction to the Sub Court, Kozhikode to consider and dispose of I.A.No.5433/2005 in L.A.R.No.431/1999 at the earliest. Learned counsel had drawn my attention to the copy of the award. A claimant Maleeha died and she was the guardian of E claimant Shabeer. But, unfortunately in the award, this Maleeha is again shown as F claimant and she has been recorded as a major. She is only the mother of E claimant and she had already passed away and therefore the order requires correction at the hands of the Land Acquisition Court. There appears to be considerable force in the said contention.

I, direct the Sub Court, Kozhikode to consider Ext.P4 application, i.e. I.A.No.5433 of 2005 at the earliest and dispose it of within one month from today. I make it clear that if the case is posted to a longer date, the court may suo motu advance it after giving notice to the other side and

dispose it of in accordance with law.

Writ petition is disposed of as above.

M.N.KRISHNAN, JUDGE

Cdp/-